

CITY OF TIGARD, OREGON

RESOLUTION NO. 05-50

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 34 (SW 117TH AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 05-17.

WHEREAS, on March 8, 2005, the City Council approved Resolution 05-17 to form Sanitary Sewer District No. 34 to construct sewers in SW 117th Avenue in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 05-17 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

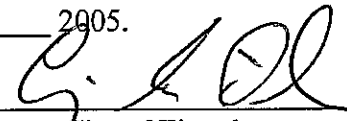
SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 34, attached hereto as Exhibit A, is hereby approved.

SECTION 2 The City Engineer's Report as presented in Resolution No. 05-17 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

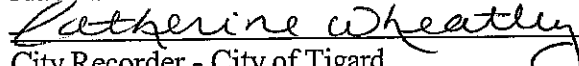
SECTION 4 This resolution is effective immediately upon passage.

PASSED: This 26th day of July 2005.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

Exhibit A
Final City Engineer's Report
Sanitary Sewer Reimbursement District No. 34
(SW 117th Avenue)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,635, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the four lots in the following table required the southerly extension of an existing sewer in SW 117th Avenue. The lot at 14230 SW 117th Avenue is not included in the district since service is currently provided by a sewer along the northerly boundary of the Shadow Hills subdivision.

The project has provided sewer service to a total of four lots as shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the four lots is \$34,036. Engineering and inspection fees amount to \$4,595 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$38,631. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about eleven thousand to fifteen thousand square feet as can be seen in the following list of lots.

Therefore, it is recommended that the total cost of the project be divided among the four properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's final fair share of the public sewer line is \$0.67580820 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55 (attached).

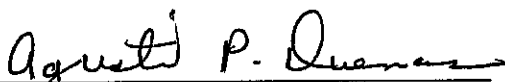
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that Reimbursement District No. 34 be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted July 12, 2005


Agustin P. Duenas, P.E.
City Engineer

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Reimbursement District No. 34

Final Cost to Property Owners

June 21, 2005

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	ESTIMATED COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
1	HURD, SUSAN J	14145 SW 117TH AVENUE	2S110BA01100	11711.57156	0.269	\$7,915	\$6,000	\$1,915
2	HICKOK, WILLIAM H & SHARON K	14185 SW 117TH AVENUE	2S110BA01000	15149.95196	0.348	\$10,238	\$6,000	\$4,238
3	ANDERSON, KAREN RAE (TRUSTEE)	14225 SW 117TH AVENUE	2S110BA00900	15150.98605	0.348	\$10,239	\$6,000	\$4,239
4	MILLER, CARL T	14190 SW 117TH AVENUE	2S110BA00600	15149.95200	0.348	\$10,238	\$6,000	\$4,238
Totals				57162	1.31	\$38,631	\$24,000	\$14,631
PROJECT TOTAL (Cost to Owners + Cost to City)								\$38,631

117TH AVENUE
Reimbursement District No. 34
*Final Cost to Property Owners
Summary
June 21, 2005*

Final Construction Cost	\$34,036
13.5% contingency (Admin & Eng)	\$4,595
total project costs	\$38,631
total area to be served (S.F.)	57,162
total cost per S.F. to property owner	\$0.67580820

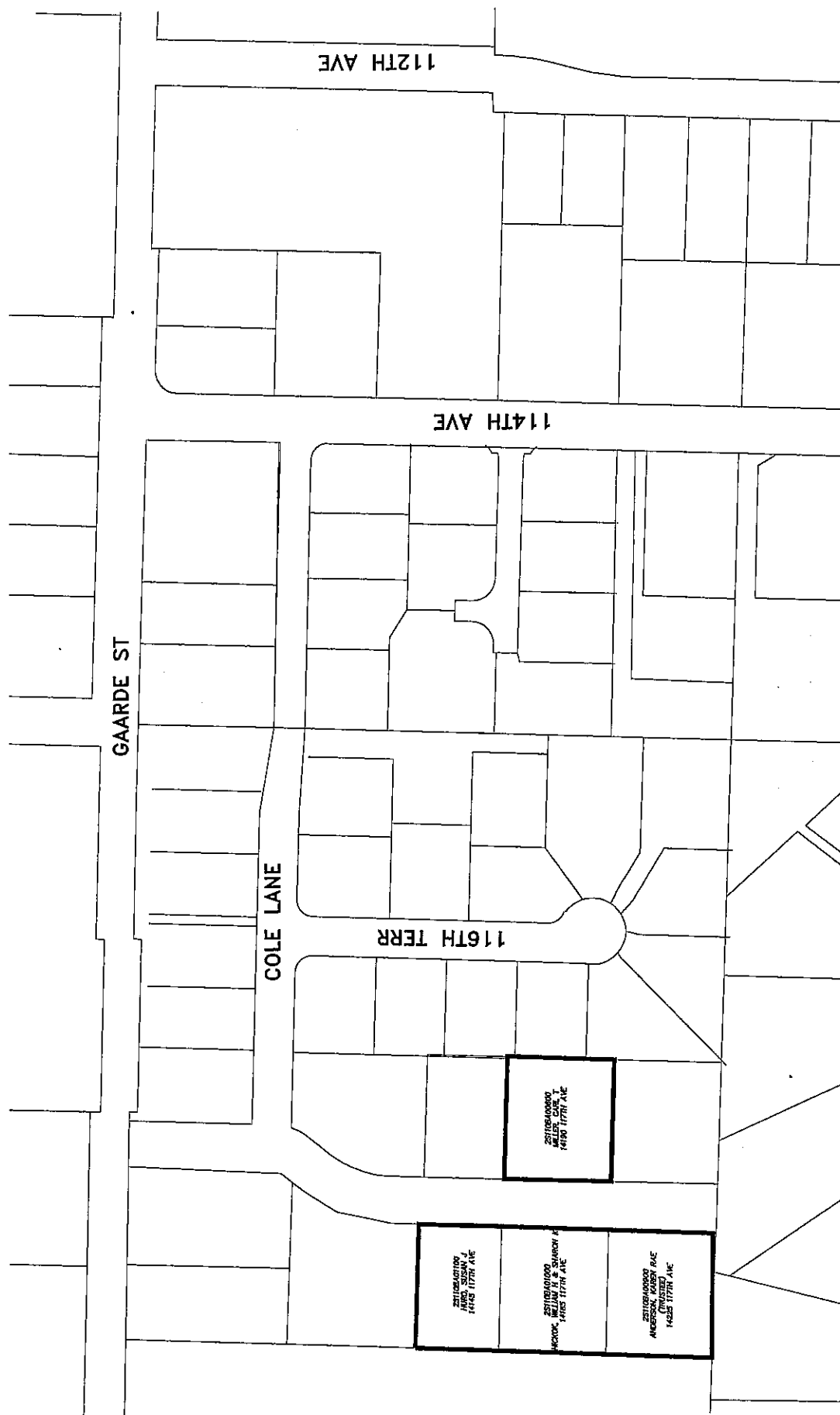


EXHIBIT B

All properties in the district are zoned R4.5